

GOODWIN PROCTER

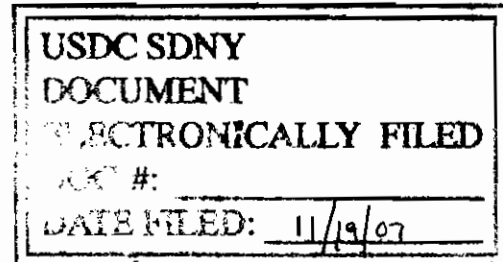
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November 16, 2007

Via Fax (212-805-7906) and First Class Mail

The Honorable Denny Chin  
United States District Court Judge  
Southern District of New York  
500 Pearl Street, Room 1020  
New York, NY 10007



Re: **United States v. Anthony Kirkland**  
**06 Cr. 1150 (DC)**

Dear Judge Chin:

I am counsel for Anthony Kirkland. I write to request that the sentencing hearing for Mr. Kirkland, which had been rescheduled for November 20 at 2 PM, be continued to December 20, 2007, or as soon thereafter as is convenient for the Court. The United States Attorney's Office ("USAO"), by and through Assistant United States Attorney Alex Willscher, has assented to Mr. Kirkland's request to continue the date for the sentencing hearing.

The reason for this request is that additional time is required to resolve the matter of the safety valve proffer. As noted in my September 25, 2007 letter to the Court requesting a continuance of the October 15, 2007 sentencing date, based on his Criminal History Category in the Presentence Report, Mr. Kirkland could benefit from the United States Sentencing Guidelines relief from the statutory mandatory minimum sentence. At that time Mr. Kirkland had determined to make a safety valve guideline proffer to the USAO, and in October attended a meeting with Mr. Willscher for that purpose. In view of an issue that arose at that time, however, the safety valve guideline proffer did not take place. Counsel is endeavoring to address this issue and makes this request for additional time to determine whether the issue can be resolved and, if so, to proceed with the proffer.

Sincerely,

Annemarie Hassett

**APPLICATION GRANTED.**  
**SO ORDERED**

**Denny Chin, U.S.D.J.**

cc: AUSA Alexander Willscher, Esq. (by email and First Class Mail)  
USPO Robert Flemen (by email and First-Class Mail)  
Anthony Kirkland (by First Class Mail)

*Sentencing is  
adjourned to  
December 20,  
2007, at  
2:00 p.m.*